IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 26TH SEPTEMBER 2007 / 4TH ASWINA 1929

Crl.Rev.Pet.No. 862 of 2007()

CRA.200/2005 of I ADDL. SESSIONS COURT, TRIVANDRUM
CC.329/2003 of JUDL. MAGISTRATE OF FIRST CLASS COURT-I, NEDUMANGAD

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REVN. PETITIONER: APPELLANT/ACCUSED:

VASU, S/O.NANDANAN, AGED 69 YEARS,
VELIYAPURAKKAL HOUSE, VALAPPAD DESOM VILLAGE,
CHAVAKKAD TALUK, THRISSUR DISTRICT.

BY ADV. SRI.BABU JOSEPH KURUVATHAZHA
SMT.A.KUMARI MINI

RESPONDENTS: COMPLAINANT:

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1. JOSHY, AGED 42 YEARS,
S/O.KUTTIMON, KOZHISSERY, KAZHIMBRAM DESOM,
VALAPPAD VILLAGE, CHAVAKKAD TALUK.

2. STATE OF KERALA, REPRESENTED BY
ITS PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
KOCHI-31.

BY ADV. SRI.V.M.KRISHNAKUMAR
PUBLIC PROSECUTOR SRI.K.S. SIVAKUMAR

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 26/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No.862 of 2007

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Dated: 26th September 2007

ORDER

The accused in C.C. 329 of 2003 on th**e file** of the J.F.C.M., Kodungallur for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 10020 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, lying in deposit before the trial court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

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